

103^D CONGRESS
1ST SESSION

H. R. 2204

To amend the Public Health Service Act to establish a program for the prevention of disabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1993

Mr. WAXMAN (for himself, Mr. MOORHEAD, Mr. TOWNS, and Mr. STUDDS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to establish a program for the prevention of disabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Silvio O. Conte Dis-
5 abilities Prevention Act”.

1 **SEC. 2. ESTABLISHMENT OF SILVIO O. CONTE DISABILITIES**
2 **PREVENTION PROGRAM.**

3 Part B of title III of the Public Health Service Act
4 (42 U.S.C. 243 et seq.) is amended by inserting after sec-
5 tion 314 the following new section:

6 “SILVIO O. CONTE DISABILITIES PREVENTION PROGRAM

7 “SEC. 315. (a) IN GENERAL.—The Secretary, acting
8 through the Director of the Centers for Disease Control
9 and Prevention, may make grants to and enter into con-
10 tracts with public and nonprofit private entities for the
11 purpose of carrying out programs for the prevention of
12 disabilities and the prevention of secondary conditions re-
13 sulting from disabilities.

14 “(b) CERTAIN AUTHORIZED ACTIVITIES.—With re-
15 spect to the prevention of disabilities and conditions de-
16 scribed in subsection (a), activities for which the Secretary
17 may provide financial assistance under such subsection in-
18 clude—

19 “(1) coordinating prevention activities;

20 “(2) conducting demonstrations and interven-
21 tions;

22 “(3) conducting surveillances and studies;

23 “(4) educating the public; and

24 “(5) educating and training health professionals
25 (including allied health professionals) and conduct-

1 ing activities to improve the clinical skills of such
2 professionals.

3 “(c) PRIORITIES.—The Secretary, in consultation
4 with the National Council on Disabilities, shall establish
5 priorities among the activities that are to be carried out
6 under subsection (a).

7 “(d) REPORTS TO SECRETARY.—The Secretary may
8 provide financial assistance under subsection (a) only if
9 the applicant involved agrees to submit to the Secretary
10 such reports as the Secretary may require with respect
11 to such assistance.

12 “(e) APPLICATION FOR ASSISTANCE.—The Secretary
13 may provide financial assistance under subsection (a) only
14 if an application for such assistance is submitted to the
15 Secretary and the application is in such form, is made in
16 such manner, and contains such agreements, assurances,
17 and information as the Secretary determines to be nec-
18 essary to carry out this section.

19 “(f) LIMITATION REGARDING EDUCATION OF
20 HEALTH PROFESSIONALS.—In providing financial assist-
21 ance under subsection (a), the Secretary may not, for ac-
22 tivities described in subsection (b)(5), obligated more than
23 10 percent of the amounts appropriated under subsection
24 (k) for any fiscal year.

1 “(g) TECHNICAL ASSISTANCE.—The Secretary may
2 provide training, technical assistance, and consultations
3 with respect to the planning, development, and operation
4 of any program for the prevention of disabilities or the
5 prevention of secondary conditions resulting from disabili-
6 ties.

7 “(h) PROVISION OF SUPPLIES AND SERVICES IN
8 LIEU OF FUNDS.—

9 “(1) IN GENERAL.—Upon the request of a re-
10 recipient of financial assistance under subsection (a),
11 the Secretary may, subject to paragraph (2), provide
12 supplies, equipment, and services for the purpose of
13 aiding the recipient in carrying out such subsection
14 and, for such purpose, may detail to the recipient
15 any officer or employee of the Department of Health
16 and Human Services.

17 “(2) CORRESPONDING REDUCTION IN PAY-
18 MENTS.—With respect to a request by a recipient
19 for purposes of paragraph (1), the Secretary shall
20 reduce the amount of payments under subsection (a)
21 to the recipient by an amount equal to the costs of
22 detailing personnel (including pay, allowances, and
23 travel expenses) and the fair market value of any
24 supplies, equipment, or services provided by the Sec-
25 retary. The Secretary shall, for the payment of ex-

1 penses incurred in complying with such request, ex-
2 pend the amounts withheld.

3 “(i) EVALUATIONS AND REPORTS.—

4 “(1) EVALUATIONS.—The Secretary shall, di-
5 rectly or through contracts with public or private en-
6 tities, provide for evaluations of programs carried
7 out pursuant to subsection (a).

8 “(2) REPORTS.—Not later than January 31 of
9 1995 and of every second year thereafter, the Sec-
10 retary shall submit to the Committee on Energy and
11 Commerce of the House of Representatives, and to
12 the Committee on Labor and Human Resources of
13 the Senate, a report summarizing evaluations car-
14 ried out pursuant to paragraph (1). The Secretary
15 shall provide a copy of each such report to the Na-
16 tional Council on Disability.

17 “(j) DEFINITIONS.—For purposes of this section:

18 “(1) The term ‘financial assistance’ means a
19 grant or contract.

20 “(2) The term ‘prevention’ means activities that
21 address the causes of disabilities and secondary con-
22 ditions resulting from disabilities, and activities that
23 address the functional limitations involved and the
24 exacerbation of such limitations, including activities
25 that—

1 “(A) eliminate or reduce the factors that
2 cause or predispose an individual to disabilities
3 or that increase the prevalence of disabilities;

4 “(B) increase the early identification of ex-
5 isting problems to eliminate circumstances that
6 create or increase functional limitations; and

7 “(C) mitigate against the effects of disabil-
8 ities throughout the life of the individual.

9 “(k) AUTHORIZATION OF APPROPRIATIONS.—For the
10 purpose of providing financial assistance under this sec-
11 tion, there are authorized to be appropriated \$15,000,000
12 for fiscal year 1994, \$20,000,000 for fiscal year 1995,
13 \$25,000,000 for fiscal year 1996, and such sums as may
14 be necessary for each of the fiscal years 1997 and 1998.”.

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